

REMARKS

Applicants gratefully note that their Request for Continued Examination as accepted and the Amendment filed on April 1, 2008 was entered.

Applicants respectfully traverses the rejection of claims 1, 4-10 and 33-39 under 35 USC 103(a) as unpatentable over U.S. Patent No. 6,631,247 ("Motoyama") when combined with Aikens, and with respect to claim 34, in further combination with U.S. Patent No. 6,054,746 to Wong et al. ("Wong"), and with respect to claim 35, in further combination with U.S. Patent No. 5,740,230 to Vaudreuil ("Vaudreuil").

Applicants previously amended the pending claims to specify, and argued as a point of distinction over U.S. Patent No. 5,414,496 to Aikens et al. ("Aikens"), that the operation of the "information selecting section" provided in the information communication device performs its selecting of information on an on-going basis.

In response, the Examiner argues that the Aikens event logger file constantly "updates the log with current event records," and that this file is "transmitted to a remote location." These functions are equated with the claimed on-going selection for transmission. Stated in other words, the Examiner acknowledges in part 3 of the Action that, since in Aikens the event log is continuously updating with current event information for transmission to a remote location, this is the arrangement of the present invention: "the on-going selection of information being performed by the information selecting portion provided in the device and the selected information being sent."

Aikens does teach continuously overwriting part of the event data stored in an event logger file 158 with current event data, using an event spooling routine, so that the event logger file 158 is updated.

However, Aikens merely teaches a continuous performance of storing the event data (including crash data) in a physical data and threshold file 185, evaluating the event data against the threshold value of each sensor stored in the file 158, and transmitting the event data after the evaluation to a remote device (Col. 5, lines 50-55,

64). In other words, Aikens does not teach an arrangement in which on-going selection is performed on what data is transmitted as the event data.

The Examiner acknowledge that Motoyama fails to disclose selecting data on a target device.

Therefore, the cited prior art patents do not teach an on-going selection being performed as to whether the device information is converted into email data or attached data. Further, there is no reason why one would combined Motoyama and Aikens to produce the claimed arrangement of the present invention, or why the combination of the references, both individually devoid of the teaching of an on-going selection as to whether device information is converted to email data or attached data, can result in an teaching or suggesting of this feature.

Stated in still other words, the updating of the Aikens even logger file 158 and/or crash logger file 171 is note the claimed "information selecting section." The present invention does not merely store information for a bulk transmission, but rather sorts ("selects") the information into one of two categories – information to be converted into email data and information to be converted into attached data. Aikens does not sort in any comparable manner; it sends all the information to the logger files.

The Applicants note in their comments on a previous Action that Motoyama describes information about a device being classified into urgent messages and non-urgent messages. But Motoyama does not sort/select information to be transmitted by email or as an attachment depending on the sorting/selection.

The Examiner notes that "selecting information to be transmitted locally is well known ..." But taking this as true, this is not the same as on-going selection where information is placed in one of two categories where these categories are transmitted differently.

With respect to claims 34 and 35, Wong and Vaudreuil describe the compression of email attachment data and privacy filters and encryption. However, the

subject matter of claims 34 and 35 is combined with that of claim 1, and Wong and Vaudreuil do not overcome the deficiencies noted above with respect to claim 1.

In view of the foregoing amendments and Remarks, Applicants urge the claims define patentable differences over the art of record, whether taken alone or in any combination, and that this application is otherwise in condition for allowance.

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Respectfully submitted,

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